

APPENDIX I

SURVEYING, MAPPING AND GEOSPATIAL SERVICES

1. FAR 36.601-4(a)(4) requires that surveying and mapping services associated with real property be procured in accordance with the Brooks A-E Act. Also, 33 USC 569b and 33 USC 2292 require USACE to follow the Brooks Act when awarding contracts for surveying and mapping services, the later statute specifically addressing water resources projects. Hence, all USACE prime contracts for surveying, mapping or geospatial services must be awarded in accordance with the Brooks Act. EFARS 36.601-4(a)(4)(A) defines surveying, mapping or geospatial services applicable to USACE.
2. Significant surveying, mapping or geospatial projects (over approximately \$25,000) should be procured by contractors that have been specifically selected for this type of work. Do not use an ID contract selected to primarily provide other types of A-E services to perform a significant surveying, mapping or geospatial project. The contractor or subcontractor may not be properly qualified to provide the required surveying, mapping or geospatial services, and this type of work was not considered in the selection process.
3. If a command does not have the appropriate surveying, mapping or geospatial contract capability, or the technical expertise to administer such contracts, support should be sought from other commands or from the Technical Center of Expertise for Photogrammetric Mapping at the St. Louis District. The Center can assist with contract administration and has several USACE-wide ID contracts for surveying, mapping or geospatial services that can be used.
4. If a contract statement of work requires significant surveying and mapping services, the public announcement must state that the surveying and mapping subcontractor (or the prime contractor's in-house surveying and mapping personnel) will be identified in the Standard Form (SF) 255. The qualifications of the proposed subcontractors (or in-house personnel) are then evaluated as a part of the A-E selection process.
5. Any change in the subcontractors that were specifically identified and agreed to during negotiations, or the addition of any subcontractors that were not contemplated during selection and negotiation, must be approved by the contracting officer in accordance with FAR Clause 52.244-4, Subcontractors and Outside Associates and Consultants (Architect-Engineer Services). The contracting officer should refer the qualifications of the surveying and mapping subcontractor to the A-E selection board for evaluation to ensure that the subcontractor has the required technical capabilities in accordance with the intent of the Brooks Act.
6. In accordance with the spirit and intent of the Brooks Act, the Government may and should strongly encourage contractors to use a qualification-based selection (QBS) approach (instead of bidding) for selecting subcontractors for surveying, mapping and other professional A-E services. The negotiators should stress to the contractor that the Government is willing to pay a fair and reasonable price for quality performance, and that bidding of professional subcontracted services may be detrimental to the quality of the work, and hence, may impact the selection of the prime contractor for future contracts. Also, additional oversight of the subcontractor will likely be required to ensure quality products and services.

7. For a response action contract¹, 42 USC 9619(f) directs that “contractors and subcontractors for program management, construction management, architectural and engineering, surveying and mapping, and related services shall be selected” in accordance with the Brooks A-E Act. This statute also directs that response action contractors and subcontractors follow the QBS procedures in the Brooks Act. However, there is no FAR solicitation or contract clause that implements this statute. Hence, the public announcement for any A-E services in connection with a response action contract should include a statement that the contractor must use a QBS approach in selecting subcontractors for professional A-E services, including surveying and mapping, and the contractor may be required to provide evidence that this approach was followed.

8. The majority of the preselection or selection board members for A-E contracts principally for real property surveys, topographic or photogrammetric mapping, hydrographic surveying, or geodetic surveying shall have specialized and current experience in performing or supervising the required type(s) of work. At least one licensed land surveyor shall be included as a member on boards for contracts principally for real property surveys or where state laws require certain surveying and mapping work to be performed by a licensed surveyor. When a command does not have adequate expertise to properly staff an evaluation board for a surveying and mapping contract, technical assistance shall be obtained from other USACE commands, other Federal agencies, or non-Federal partners or customers.

¹ A contract for any remedial action (including planning, engineering, surveying and mapping, and design) with respect to any release or threatened release of a hazardous substance or pollutant or contaminant under the Comprehensive Environmental Response, Compensation and Liability Act.